

10/11/01

11055 U.S. PTO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2599-104-D4

First Inventor

Kelly G. Ammann et al.

Title

**AUTOMATED DIAGNOSTIC ANALYZER AND
METHOD**☒ **Assignee Information:** Gen-Probe Incorporated, 10210 Genetic Center Drive, San Diego, California 92121**APPLICATION ELEMENTS**

See MPEP Chapter 600 concerning utility patent application contents

ADDRESS TO:

**Assistant Commissioner of Patents
Box Patent Application
Washington, DC 20231**

1. ☒ **Fee Transmittal Form**
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status
3. ☒ **Specification** Total pages 90
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross references to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
4. ☒ **Drawing(s)** (35 USC 113) Total sheets 46
5. ☒ **Oath or Declaration** Total pages 4
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named
in the prior application, see 37 CFR 1.63(d)(2) and
1.33(b)
6. ☒ **Application Data Sheet**

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program
8. ☐ Nucleotide and/or Amino Acid Sequence
Submission
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

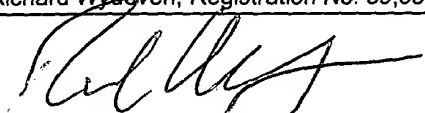
9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement
(when there is an assignee)
☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement /PTO 1449
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
16. ☐ Request and Certification under 35 U.S.C.
122(b)(2)(B)(i)
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ **Divisional** ☐ Continuation-in-part (CIP) of prior application No.: **09/303,030**Prior application information: Examiner J. Lundgren Group Art Unit 1631

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

Customer Number or Bar Code Label: **6449**

ADDRESS	Rothwell, Figg, Ernst & Manbeck Suite 701-East, 555 13th Street, N.W.				
CITY	Washington	STATE	DC	ZIP CODE	20004
COUNTRY	USA	TELEPHONE	202-783-6040	FAX	202-783-6031
NAME	Richard Wydeven, Registration No. 39,881				
SIGNATURE				DATE	October 11, 2001

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09/973862

10/11/01

FEE TRANSMITTAL for FY 2001 (Large Entity)		Complete if Known	
		Application Number	Divisional Serial No. 09/303,030
		Filing Date	Concurrently Herewith
		First Named Inventor	Kelly G. AMMANN et al.
		Group Art Unit	Unknown
		Examiner Name	Unknown
Total Amount of Payment (\$)	776.00	Attorney Docket Number	2599-104-D4

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status
2. ☒ Payment Enclosed:
- ☒ Check
- ☐ Credit Card

FEE CALCULATION
FILING FEE

Fee Code	Fee Paid	Fee Description	Fee Paid
101	740	Utility Filing Fee	[740.00]
106	330	Design Filing Fee	[]
107	510	Plant Filing Fee	[]
108	740	Reissue Filing Fee	[]
114	160	Provisional Filing Fee	[]

SUBTOTAL \$ 740.00
2. CLAIMS

	Extra Claims	Fee	Fee Paid
Total Claims	22 - 20" = 2	x \$ 18.00 =	[36.00]
Independent Claims	2 - 3" = 0	x \$ 84.00 =	[0.00]
Multiple Dependent Claims		+ \$ 280.00	[0.00]


*or number previously paid, if greater;

SUBTOTAL \$ 36.00
FEE CALCULATION (continued)
3. ADDITIONAL FEES

Fee Code	Fee Paid	Fee Description	Fee Paid
105	130	Surcharge - late filing fee or oath	[]
127	50	Surcharge - late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for reexamination	[]
112	920	Requesting publication of SIR prior to Examiner action	[]
113	1,840*	Requesting publication of SIR after Examiner action	[]
115	110	Extension for reply within first month	[]
116	400	Extension for reply within second month	[]
117	920	Extension for reply within third month	[]
118	1,440	Extension for reply within fourth month	[]
128	1,960	Extension for reply within fifth month	[]
119	320	Notice of Appeal	[]
120	320	Filing a brief in support of an appeal	[]
121	280	Request for Oral Hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
140	110	Petition to revive -unavoidable	[]
141	1,280	Petition to revive - unintentional	[]
142	1,280	Utility issue fee (or reissue)	[]
143	460	Design issue fee	[]
144	620	Plant issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Processing fee under 37 CFR 1.17(q)	[]
126	180	Submission of Information Disclosure Statement	[]
581	40	Recording each patent assignment per property (times number of properties)	[]
146	740	Filing a submission after final rejection (37 CFR.129(a))	[]
149	740	For each additional invention to be examined(37 CFR 1.129(b))	[]
179	740	Request for Continued Examination (RCE)	[]
169	900	Request for expedited examination of a design application	[]
195	300	Publication fee for early, voluntary, or normal publication	[]
196	300	Publication fee for republication	[]
089	200	Filing application for patent term adjustment	[]
090	400	Request for reinstatement of term reduced	[]
		Other fee (specify)	[]

*Reduced by Basic Filing Fee Paid

SUBTOTAL \$ 0.00

SUBMITTED BY:				Complete (if applicable)	
NAME AND REG. NUMBER		Richard Wydeven, Registration No. 39,881			
SIGNATURE		DATE	10/11/01	DEPOSIT ACCOUNT USER ID	02-2135